

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ROBERT EMMA, Custodian, IRA, DTD
7/10/97

Plaintiff,

v.

RS INVESTMENT MANAGEMENT, L.P.,
PFPC DISTRIBUTORS, INC., G.
RANDALL HECHT; LEONARD B.
AUERBACH, JEROME S. CONTRO,
JOHN W. GLYNN JR. and MICHAEL
MCCAFFERY,

Defendants,

RS EMERGING GROWTH FUND,

Nominal Defendant.

Civil Action No.
04-CV-12106-NMG

Judge Nathaniel M. Gorton

STIPULATION

It is hereby stipulated and agreed that the time within which RS Investment Management L.P., G. Randall Hecht, Leonard B. Auerbach, Jerome S. Contro, John W. Glynn Jr. and Michael McCaffery shall have to answer, move, or otherwise respond to the complaint is enlarged to February 11, 2005.

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